

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KIRK D. ROBINSON,

Plaintiff,

vs.

TAGGART BOYD, UNIT ADMINISTRATOR,
Name unknown as of this time; CM
MESSNER, and CM DELGADO,

Defendants.

8:24CV189

MEMORANDUM AND ORDER

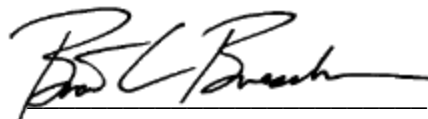
This matter is before the Court on Plaintiff's Motion to Dismiss, which the Court liberally construes as a motion to voluntarily dismiss pursuant to [Federal Rule of Civil Procedure 41. Filing 11](#). [Rule 41\(a\)](#) states that a plaintiff may dismiss an action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(i\)](#). In addition, [Rule 41\(a\)\(2\)](#) provides that an action may be dismissed at the plaintiff's request "on terms that the court considers proper." [Fed. R. Civ. P. 41\(a\)\(2\)](#). Here, Plaintiff asks the Court to dismiss this action and Defendants have not been served with process. Upon consideration,

IT IS THEREFORE ORDERED that:

1. Plaintiff's request for dismissal of this action, [Filing 11](#), is granted. Accordingly, this matter is dismissed without prejudice.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

Dated this 18th day of September, 2024.

BY THE COURT:



Brian C. Buescher
United States District Judge